

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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Southern District of New York
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January 31, 2023

BY EMAIL AND ECF

Honorable Jed S. Rakoff
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Steven Perez (Preferred name: Lucha El Libertad)
22 Cr. 644 (JSR)**

Dear Judge Rakoff:

I write with the consent of the Government and the Pretrial Services Agency to respectfully request that the Court remove the condition of home incarceration and place Mr. Lucha on home detention.

Mr. Lucha was presented on December 7, 2022, before Magistrate Judge Valerie Figueredo, who ordered him released on home incarceration on his own signature subject to a \$30,000 personal recognizance bond to be cosigned by three financially responsible persons, Pretrial supervision, travel restricted to the Southern and Eastern Districts of New York, and the surrender of travel documents with no new applications.

Mr. Lucha has now been on home incarceration for approximately eight weeks and is in full compliance with the conditions of his release. He has attended Court as required and has remained in regular contact with the Pretrial Services Agency and our office. He has also engaged with Ms. Kelly Sheffield, a social work intern in our office, who is working to assist him with his employment search.

In light of Mr. Lucha's compliance, his Pretrial Services Officer, Jonathan Lettieri, has indicated that he would consent to Mr. Lucha's placement on home detention in order to facilitate his employment search. As indicated above, the Government also consents to this modification.¹

Respectfully submitted,
/s/ _____
Zawadi S. Baharanyi
Assistant Federal Defender

¹ On February 8, I intend to request Mr. Lucha's placement on a curfew, with the Government's consent, consistent with the Bail Reform Act's requirement that individuals be placed on the least restrictive conditions necessary to reasonably assure their appearance in Court and the safety of the community. See 18 U.S.C. 3142(c)(1)(B). Home detention is far from the least restrictive condition in this case given Mr. Lucha's minimal and nonviolent criminal history (he has a single misdemeanor conviction from 2014), his appearance in Court in this matter and in his pending Massachusetts matter, and the lack of violent/assaultive conduct in this case.

December 18, 2015

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(917) 612-2753

cc: AUSA Ashley Nicolas
USPSO Jonathan Lettieri

SO ORDERED:

HONORABLE JED S. RAKOFF
United States District Judge